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Brothers Claiming Gold Mine Tests In Westwater Canyon a BLM Sham

BY CHRISTOPHER SMITH
THE SALT LAKE TRIBUNE

Calling it a "sham examination," two brothers are fighting a Bureau of Land Management order to abandon their mining claims in Westwater Canyon near Moab, challenging the finding that there isn't enough gold there to turn a profit.

Ron and Ray Pene have appealed the BLM's March 7 "validity exam" that determined there was only \$42,000 worth of valuable minerals in the Penes' claim, and it would cost more than double that amount to extract it from the scenic Colorado River canyon 40 miles northeast of Moab. The Penes have asserted there is between \$5 million and \$700 million worth of gold in their claims.

In a statement sent to regional media Monday, Ron Pene of Grand Junction, Colo., maintains the BLM examination was biased against Pene Mining from the start and is part of a BLM campaign to harass the miners.

Pene said the exam — a two-year BLM project to scientifically analyze the amount of valuable minerals in the Penes' placer mining claims — was conducted by adverse parties who withheld information, fabricated sample weights and falsified documentation.

"One placer claim and nine lode claims were declared null and void by the BLM without benefit of any samples taken or analytical work performed," said Pene. "Fifty percent of all samples taken from

the placer claims were from tailings piles left by the old miners, after they had removed what gold they could."

Utah BLM spokesman Glenn Foreman said the agency stands by the findings of its study.

"We are not an adverse party and this exam was done with good science," he said Monday. "We had some reason to believe from past history of other mining operations in that area that there would not be vast quantities of valuable minerals there, so now it's up to a judge."

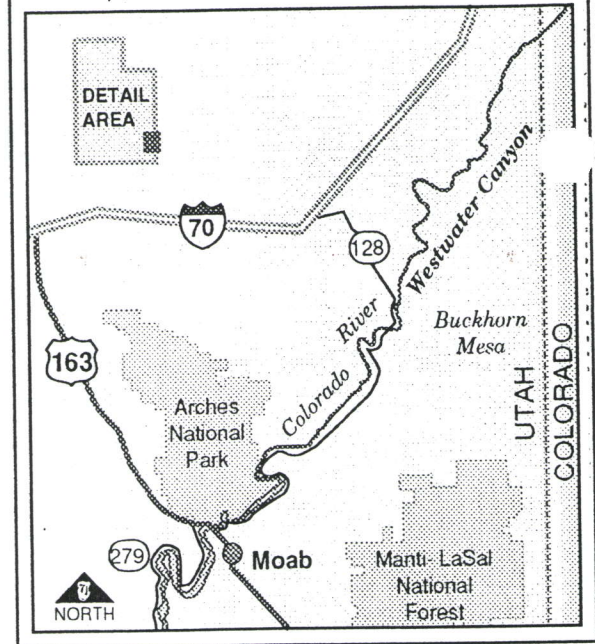
The appeal now goes before an administrative-law judge who will decide whether BLM did an adequate job in determining the mining claims were not economically feasible and ordering the Penes to abandon the claims.

BLM officials have said the Westwater validity exam was one of the most extensive — and expensive — ever done in Utah, with employees taking more than 70 gravel samples, each weighing 300 to 500 pounds. The samples were concentrated, then assayed at a Salt Lake City lab to determine the amount of gold or silver.

Westwater Canyon is considered a likely candidate for national "wild and scenic river" protection and was withdrawn from mining by the BLM in 1975 because of its wilderness potential. That withdrawal was accidentally allowed to lapse in 1982, and the Penes began filing legal mining claims in 1984, prompting the agency to impose an emergency with-

Westwater Wrangle

Two brothers have staked gold claims in Westwater Canyon they say are worth millions of dollars. Bureau of Land Management officials, however, want to protect the land from mining.



The Salt Lake Tri...

drawal that continues today.

The miners have long maintained that if the BLM wants to protect Westwater from a gold mining operation, the federal government must "buy out" their claim at a price equal to what they believe they would earn if allowed to extract the minerals.

Domestic Dispute In Kearns Ends in Husband's Suicide

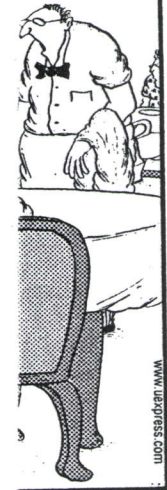
BY TOM ZOELLNER
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Judge Tosses Suit Against Polygamists, Says Claimant Waited Too Long to File

Suit Dismissed

A woman who claimed \$1.5

she never found out what had happened to the money until 1995, when some disaffected



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against a 26-year-old man who was shot into a New Year's Eve crowd in 3rd District court after he was shot in the hand by a police officer at 1574 East Peterson. The case is now in the hands of the new direction,